

Remarks

This amendment is in response to the final Office Action of December 31, 2003. In the Office Action, the Examiner rejected claims 1-5 and 7-10 and 15, and allowed claims 6 and 11-14.

The Examiner first objected to the abstract as being too long. Applicant has amended the Abstract above which should overcome this objection. An unmarked copy of the revised Abstract is also attached hereto.

The Examiner first rejected claims 2-5 under 35 USC §112 as being indefinite. Applicant has amended claim 2 above which should overcome this rejection.

The Examiner next rejected claims 1-4 under 35 USC §103(a) as being unpatentable over *Esau* '494 in view of *Smith* '936. The applicant has amended claim 1 to incorporate limitations from claim 4, now canceled. No new issues are presented.

According to the invention, the front, back, and coupler links are displaceable so that the upper end of the back link is movable toward and away from the lower end of the front link, between positions on opposite sides of a center line drawn between the lower end of the back link and the first end of the coupler link. This relationship is demonstrated by the Figures 2 and 3 marked up and attached which show the claim-defined "centerline" and the relative position of the upper end of the back link marked "A". In Figure 2 the upper end "A" is on the left side of the claim-defined "centerline" and in Figure 3 it is on the right side.

Such a configuration is missing in *Esau* '494 and *Smith*. In *Esau* '494, as demonstrated on the attached marked up Figures 2 and 3 from the patent, the upper end "A" of the back rocker link always remains on the right side of a corresponding claim-defined "centerline".

Applicant asserts that the rejection of claim 1 has been overcome and requests withdrawal of the rejection of claim 1 and all claims dependent thereon.

The Examiner next rejected claim 7, 8 and 15 under 35 USC §103 (a) as being unpatentable over *Esau* '494 in view of *Smith* '936 and further in view of *Schroeder et al.* '490. The Applicant has amended claim 7 to describe the hood-mounted bracket comprising a metal base portion extending across the width of the polymeric hood, wherein the one link is fixed at one end of said base portion, wherein the base portion of the hood-mounted bracket is secured adhesively to the underside of the polymeric hood. None of the references *Esau* '494, *Smith* '936 or *Schroeder et al.* '490 disclose such a transverse base portion that is adhesively secured to an underside of the hood.

Schroeder et al. '490 is directed to an automobile construction. This reference describes a plastic body that is bolted, and also secured with adhesive, to a steel frame (column 2, lines 29-31). The "anti-peeling" bolts are an important part of the total attaching system (column 6, lines 24-36). *Schroeder et al.* '490 teaches that an adhesive attaching of the automobile body should be supplemented with "anti-peeling" bolts. It is not a teaching that adhesive attaching can *replace* bolting for a high stress connection such as a hood hinge connection. The present invention provides the securing of a metal transverse

hinge bracket to a polymeric hood for the claimed configuration without the need for bolts which would detract from the smooth outer appearance on the hood.

Applicant asserts that the rejection of claim 7 has been overcome and requests withdrawal of the rejection of claim 7 and all claims dependent thereon.

The Examiner next rejected claims 9 and 10 under 35 USC §103 (a) as being unpatentable over *Esau* '494 in view of *Smith* '936, *Schroeder et al.* '490, and *Fleming* '759. Claim 9 describes a combination of a vacuum-formed polypropylene hood and a steel hinge bracket, the steel hinge bracket comprising a steel plate extending across a width of the hood and which is secured adhesively to the hood. The present invention provides the securing of a steel hinge to a polymeric hood without the need for bolts which would detract from the smooth outer appearance on the hood. None of the references *Esau* '494, *Smith* '936, *Schroeder et al.* '490, or *Fleming* '759 disclose such a transverse steel plate that is adhesively secured to an underside of a polymeric hood.

Applicant has recognized that vacuum-formed polypropylene material provides strong impact and dent resistance while being receptive to the adhesive attachment of metal hinge hardware so as to not require bolting, which would detract from the smooth outer appearance on the hood.

Applicant asserts that the rejection of claim 9 has been overcome and requests withdrawal of the rejection of claim 9 and all claims dependent thereon.

Examiner next indicated the claims 6 and 11-14 were allowed. Applicant acknowledges this allowance with appreciation.

The Examiner next indicated the claim 5 would be allowable if rewritten to overcome the 35 USC §112 rejection and to include all of the limitations of the base claim and any intervening claims. Applicant has amended claim 5 according to this suggestion and as such claim 5 should be allowed. Applicant acknowledges this allowance with appreciation.

Applicants assert that all claims are now in condition for allowance.

Respectfully submitted,

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Abstract

A hinge assembly is provided for hinging a hood on a utility vehicle body so as to enable the hood to open upwardly and backwardly from the front end of the utility vehicle. A bracket made from steel is secured adhesively to an underside of the hood, which is made from a polymeric material, near a back end of the hood. A double-rocker, four-link mechanism includes a lower, fixed link, an upper, coupler link, a comparatively longer, front rocker link, and a comparatively shorter, back rocker link. The front, back, and coupler links are displaceable so that the upper end of the back link is movable toward and away from the lower end of the front link. An extensible-retractable spring connected between the rocker links biases the upper end of the back link toward the lower end of the front link.

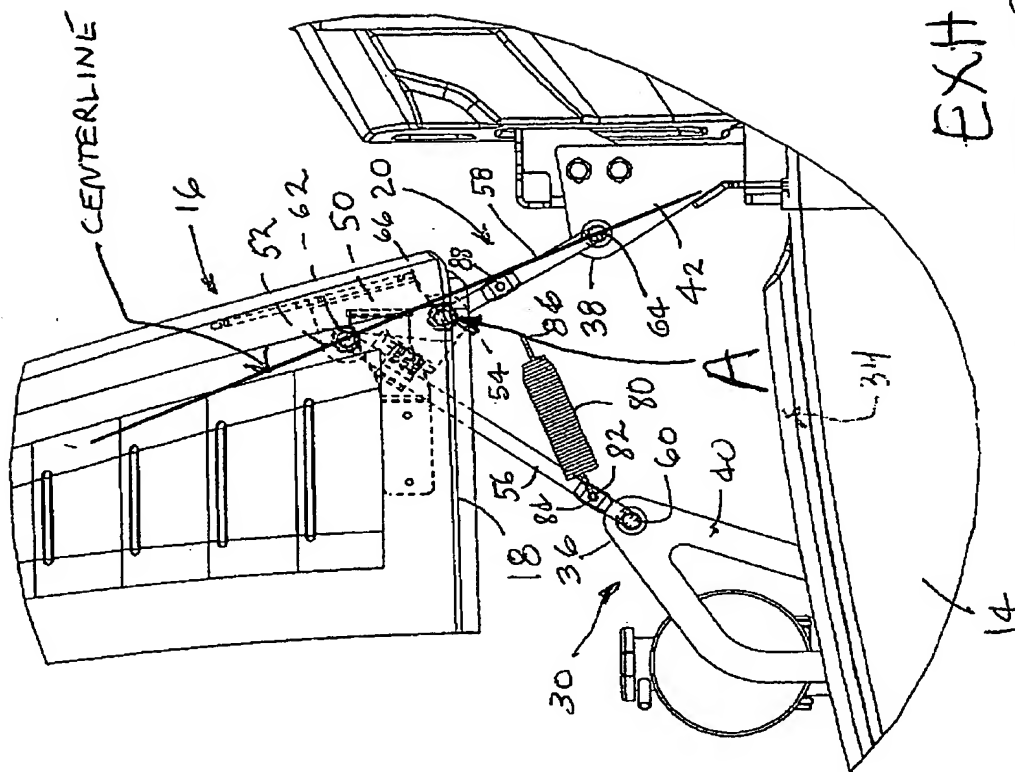


EXHIBIT
PRESENT SPECIFICATION

Fig. 2

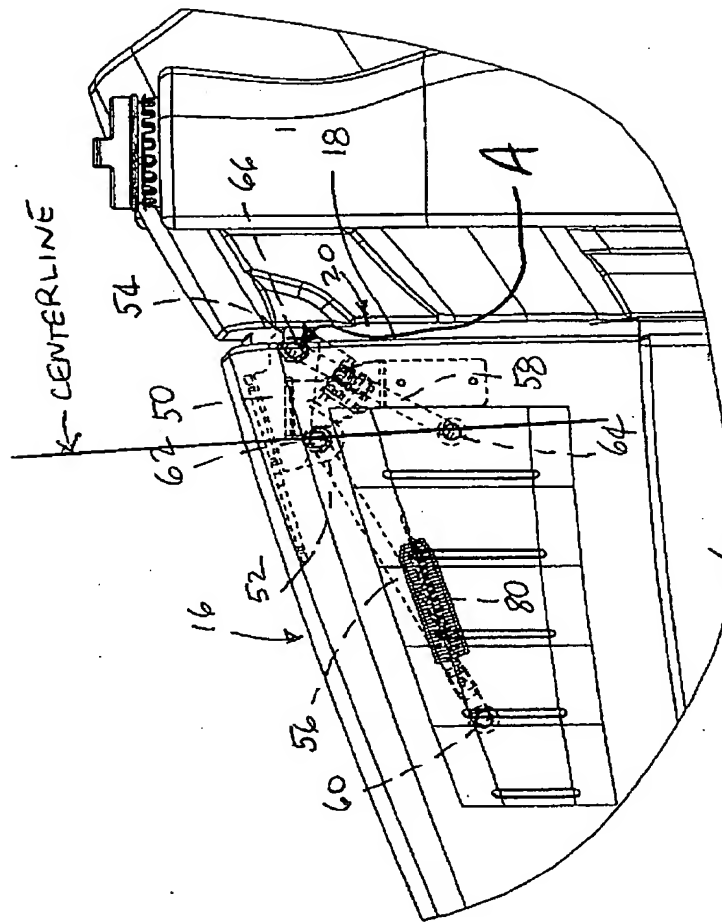


Fig. 3

EXHIBIT

PRESENT SPECIFICATION

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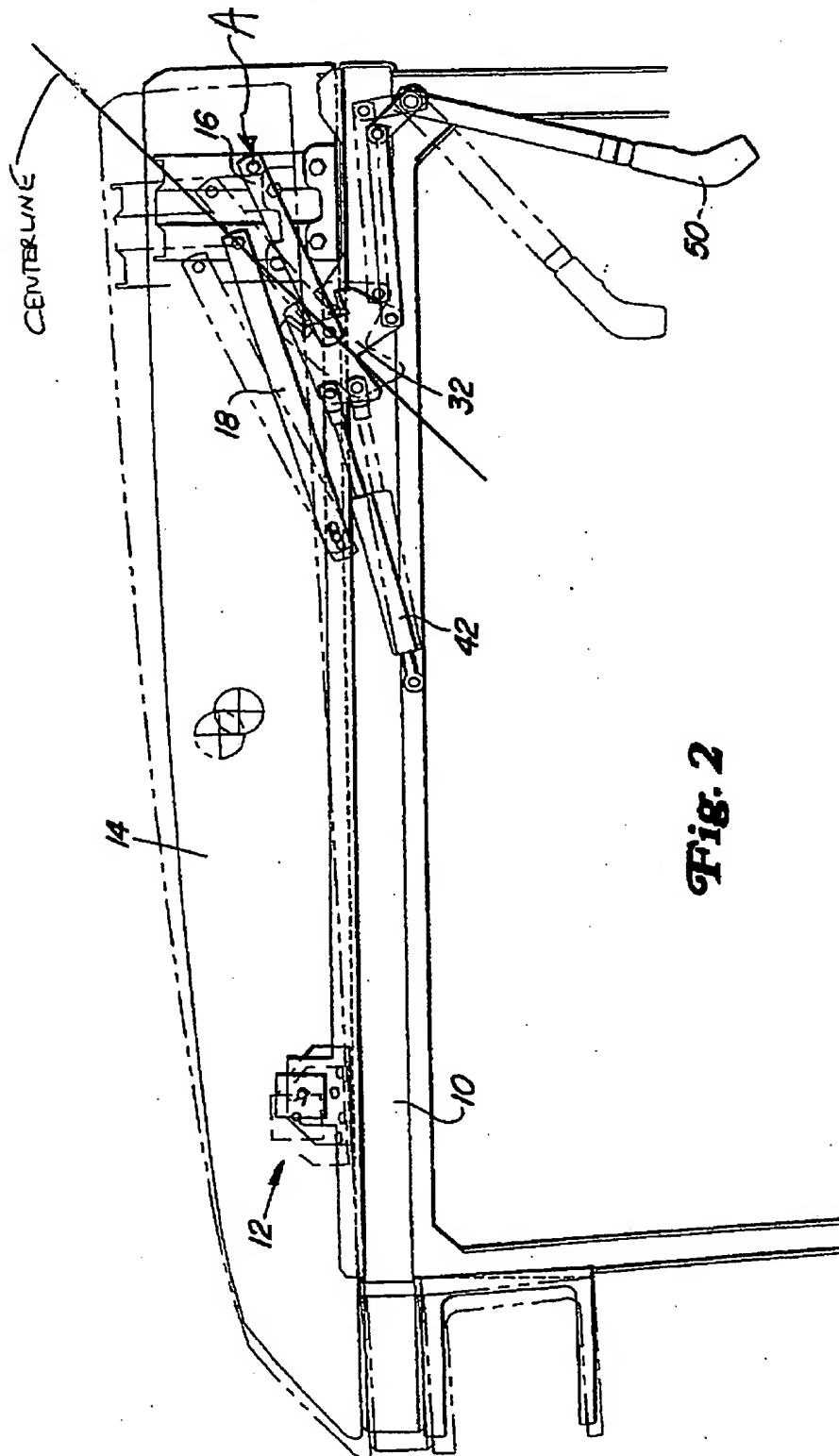


EXHIBIT
ESAU 49A Patent

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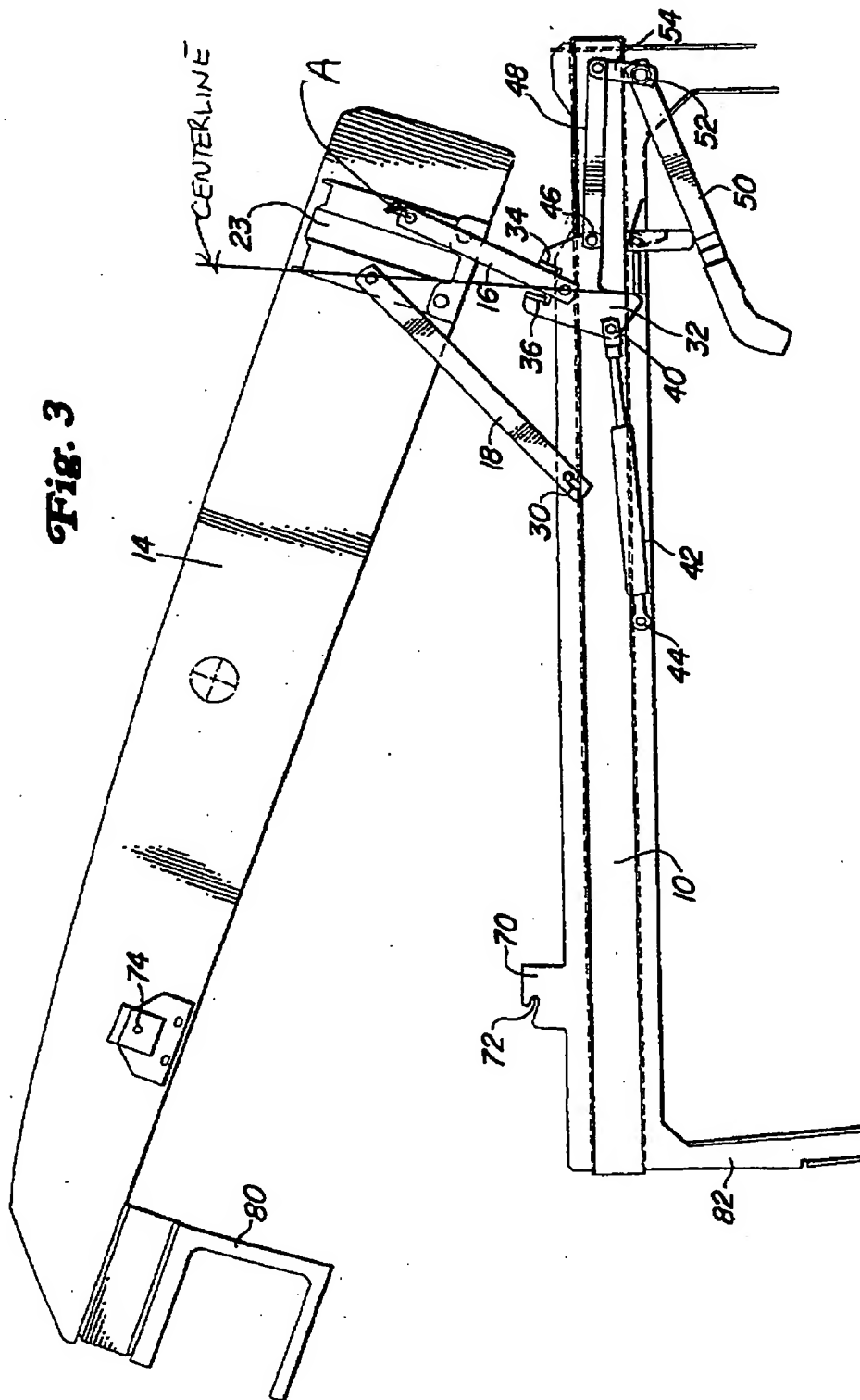


EXHIBIT
ESAU 494 Patent